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RL:0493

HB 1573 RELATING TO ENVIRONMENTAL QUALITY

Statement for House Committee on Finance
Public Hearing, 8 March 1983

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HB 1573 would amend HRS chapters 341 and 343 so as to make a substantial change in the administration of the State Environmental Impact Statement (EIS) system as well as some less substantial changes in environmental quality management. This statement is based on the experience of long-continued and substantial engagement by the Environmental Center in reviews of the EIS system for the Office of Environmental Quality Control and the Environmental Quality Commission and in reviews of most EIS's; on our long-continued experience of cooperation with the Office of Environmental Quality Control, the Environmental Quality Commission, and the Environmental Council; and on a statement by our Center (RL:0482) on the original version of HB 1573. The statement does not, however, reflect an institutional position of the University.

It seems unnecessary to repeat in this statement all of our previous comments on the bill, whose provisions we consider in general quite appropriate. We merely call attention here to two ways in which the provisions might be improved:

Composition of the Council

As we commented on the original version of the bill;

HB 1579 would provide that the members of the Council be appointed to represent a combination of most of the constituencies represented in the present Council and the Commission. Representation of a breadth of public competence and interest in the Council is essential. However, there are some possible problems with the detailed requirements in the bill.

As indicated in Table 1, 13 constituencies are named. These are grouped so that the provision appears to dictate representation from no more than 4 combinations of these constituencies, but more than one representative would be required from each combination. Because there is some overlap, for example between the combination

of disciplines and the group of colleges and universities, it might be that the qualifications are fixed for no more than 6 of the 14 public representatives on the Council.

However, there are constituencies whose representation would be desirable but not required by the provisions of the bill, for example: ethics, philosophy, and the mass media (represented in the present Council); planning (represented in the present Commission), and art (to represent aesthetic interests), public health, museums (such as the Bishop Museum), agriculture and the tourist industry.

We suggested the desirability of replacing the Council membership requirements of the bill by something a little more general, and the provisions regarding the composition of the Council have been revised in the Senate companion bill (SB 1279, SD 1) to read:

Members shall be appointed to assure a broad and balanced representation of educational, business, and environmentally pertinent disciplines and professions, such as the natural and social sciences, the humanities, architecture, engineering, public health and planning; educational and research institutions with environmental competence; agriculture, real estate, visitor industry, construction, media, and voluntary community and environmental groups.

We believe that the revision to the Senate version is appropriate.

Meetings of Council

HB 1573 provides that the Council is to meet at the call of the chairman, who would be elected from the appointed members of the Council. We believe that the Director of the Office, also, should be improved to call a meeting of the Council when he needs its advice.

Table 1. Constituencies to be represented in future Council

1	Architecture	}	1 Disciplines
2	Engineering		
3	Planning		
4	Natural sci.		
5	Physical sci.		
6	Social sci.		
7	Construction	}	2 Business & Industry
8	Real estate		
9	Labor		
10	Public & Private sch.	}	3 Education
11	Colleges & Universities		
12	Community	}	4 Community & environmental groups
13	Environmental grps.		

Constituencies, now represented in Council, not specified in future Council

Mass media
Technologies other than architecture and engineering
Ethics
Philosophy

Constituencies, now represented in Commission, not specified in future Council

Management (other than construction and real estate)
Planning